

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STACEY SHAFFER,)	
)	Civil Action No. 1:17-cv-330
Plaintiff,)	
)	United States Magistrate Judge
v.)	Cynthia Reed Eddy
)	
WEXFORD HEALTH SOURCES,)	
INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

AND NOW, this 12th day of July, 2018, for the reasons set forth in the accompanying Memorandum Opinion,

IT IS HEREBY ORDERED that the Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) filed by Defendant Erie County Department of Corrections d/b/a/ Erie County Prison [ECF No. 4] is GRANTED as to Counts I through IV of the Complaint. The motion is DENIED as moot, and without prejudice, insofar as it relates to Plaintiff's request for punitive damages. Count IV of the Complaint is dismissed with prejudice. Counts I, II, and III are dismissed without prejudice to Plaintiff's right to file an amended pleading on or before **July 26, 2018**. If Plaintiff fails to file an amended pleading within that time frame, the dismissals of Counts I, II, and III will be converted to dismissals with prejudice.

By the Court,

s/Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: All counsel of record
via CM/ECF electronic filing